

## **Myths and Facts on the Corps' Management of the Niagara Falls Storage Site (FUSRAP) and the Lake Ontario Ordnance Works Site (DERP-FUDS)**

**Myth:** The Corps, which was an agent of the Manhattan Project, is partly responsible for some of the contaminated waste, which was deposited in Niagara Falls. Therefore it is not the agency to oversee FUSRAP and it is doing a bad job of it.

**Fact:** The Manhattan Engineering District was given a Congressional mission in a wartime situation. A peacetime mission and a wartime mission do not have the same drivers. Over the years, environmental awareness and the improvement of technology has enabled the Department of Defense to correct environmental damage caused by it's activities. Corps employees are people who care about the environment and are highly trained and experienced. We are trained to clean up sites using technologies that are effective and safe. As people dedicated to "doing it right", we are committed to doing the best job possible of assessing and removing contamination.

We partner with other environmental agencies, such as New York State Department of Environmental Conservation (NYSDEC), New York Department of Health (NYDOH), and the U.S. Environmental Protection Agency (USEPA) Region 2, as appropriate. These agencies review our decision documents. The public may also review the documents kept in the Administration Record. Copies of these records for LOOW and NFSS projects may be found in the Lewiston Public Library, 305 South Eighth St., Lewiston, NY and at the Youngstown Free Library, 240 Lockport St., Youngstown, NY.

The Restoration Advisory Board (RAB) also has the right to have a well-credentialed independent reviewer such as Technical Outreach Services to Communities (TOSC) review the work of the Corps and report back to them. It would contribute greatly to the process to have professionals with experience in the field, provide peer review.

**Myth:** The Lewiston-Porter schools are built on property that was once LOOW.

**Fact:** The Department of Defense owned this area, but to our current knowledge it was part of a buffer zone and no activities occurred there.

**Myth:** The school has high levels of contamination.

**Fact:** The Corps has no evidence of radioactive contamination from DOD activities at the school. The recent background radiation study supports this conclusion.

The Corps also took some background soil samples on the school property, and analyzed them for metals and organic compounds. We presented the results of this background soil sampling at the June 2001 RAB meeting. (for more information, a fact sheet entitled "Investigation of Lewiston-Porter School Property", June 2001 is available on our

website or from the Buffalo District office). The only significant findings of these background samples were that lead and arsenic are above the NY State background concentration of lead and arsenic in residential soils. The concentrations of lead, while slightly elevated above background, are below the level that the USEPA has found to be acceptable for a child's play area (as per TOSC regulation, 40 CFR Part 745: Lead; Identification of Dangerous Levels of Lead; Final Rule).

According to information provided by the NYDOH, the levels of arsenic are comparable to levels of arsenic found in old fruit orchards in this part of New York State. Arsenic has not been found in elevated concentrations on the LOOW site, therefore, it cannot be migrating from the LOOW site onto the school property.

**Myth:** The original LOOW site was a storage site for radioactive waste and may have been a production area for biological and radiological materials.

**Fact:** There were chemical and biological weapons stored in the area of the LOOW site known as North East Chemical Warfare Depot (area north of Balmer Road currently owned by the Army National Guard). This material has long since been removed. No chemical or biological weapons were ever produced on the site. (The history report in the Administrative Record gives a full account of this for those who would like more information.)

No radiological materials were ever produced on what is now NFSS. They were produced at other sites and were only stored in certain areas of the LOOW.

**Myth:** Attendees at the October 17, 2001 RAB meeting were told that high levels of radon had been discovered in the northeast corner of the Lewiston-Porter schools.

**Fact:** This is a mischaracterization of what the Corps reported. Attendees at the June 2001 RAB meeting were told that moderate levels of arsenic had been discovered in the northeast corner of the Lewiston-Porter schools, in the old apple orchard.

Attendees at the October 2001 RAB meeting were informed that the Corps maintains a background radon monitoring location near the center of the Lewiston-Porter school property. The radon results have all been normal at the school monitoring location.

**Myth:** The U.S. Army Corps of Engineers hasn't been trustworthy.

**Fact:** The Corps of Engineers is the world's premier engineering organization, chosen by Congress to perform this vital mission. We are respected, responsive and reliable. We will perform this mission expertly, taking great care to protect the environment, people and their property. Safety is our paramount concern. It is our intent to keep the public informed and involved.

**Myth:** The Corps insists that no radioactive materials have ever been moved off LOOW or NFSS

**Fact:** The Corps noted that no material from the waste containment structure (WCS) had migrated (moved) off NFSS; indeed none has moved out of the WCS at all based on soil and groundwater tests. We have never asserted that waste was not intentionally moved off site. Considerable intentional transport of waste has occurred, including the steel drums that were transferred to Painesville. While the Corps has mentioned limited instances of waste transport, (e.g. the report that the buried animals had been dug up and moved) our mission is to quantify contaminants that remain on site and to clean them up. We are not focusing on waste that has already been removed/disposed.

**Myth:** The Corps refused to answer questions about health risks saying they were not in the business of health studies, then they present the results of the gamma walkover at the Lewiston-Porter school and say that no hazard to the public was found.

**Fact:** A risk assessment is a little different than a public health assessment (study).

The risk assessments that the Corps conducts at DERP-FUDS and FUSRAP sites follow the USEPA's Risk Assessment Guidance for Superfund sites. We start by determining the nature and extent of contamination, and then work outward, to determine if and how people may ever be exposed to the contamination at the site, under both current and future conditions. From these present and projected future exposure assessments, we evaluate what is the *potential* for harmful health effects to occur. The primary purpose is to determine whether or not an area of contamination poses an unacceptable risk or not to the public. If the risk of potential human health effects is unacceptable, then we use this risk assessment information to devise a solution that will reduce this risk. This can be done by (1) treating or removing the contamination, or by (2) ensuring that no one becomes exposed.

A public health assessment can only be conducted by an agency with a mandate to do so, such as the NYDOH, or the federal Agency for Toxic Substances and Disease Registry (ATSDR), which is part of the U.S. Department of Health and Human Services. The U.S. Army Corps of Engineers *does not* have a Congressional mandate to do a public health assessment, only to do risk assessments that support remedial action decisions at the hazardous waste sites that it is responsible for managing.

A public health assessment (as conducted by ATSDR) begins with an exposure assessment, in order to determine whether or not people are actually being exposed to contamination from a hazardous waste site. If there is no route of exposure from the waste site, then the public health assessment does not progress any further.

The public health assessment is more focused on *actual*, rather than potential health effects, to the existing community. A full public health assessment may include the results of medical, toxicologic, and epidemiologic studies and the data collected in disease registries.

**Myth:** The three sites chosen to represent background for radiation (LOOW, National Guard Base, and Lew-Port school) are all contaminated, so the high levels found cannot be considered normal.

**Fact:** There were only two sites chosen: the National Guard Training Site and the Lew-Port School property. They were chosen because records indicate that no radiological activities have taken place in the survey areas. According to Corps health physicists, radiation levels observed were typical for regional geology, and for types of surfaces surveyed (soil, concrete, and gravel). During the Remedial Investigation, the Corps took many background samples in and out of the LOOW property proper.

**Myth:** The Corps is lying or withholding information from the public.

**Fact:** The Corps is committed to partnering with the community to effectively conduct environmental restoration. The purpose of the Restoration Advisory Board for LOOW is to serve as a forum for discussion and exchange of information between the Department of Defense and affected communities. It is an opportunity for stakeholders to have a voice and actively participate in the review of technical documents, to review restoration progress, and to provide individual advice to decision-makers regarding restoration activities. The meetings are open to the public. It is our hope that the public will partner with us to facilitate the most effective cleanup.

The Administrative Record is readily available to the public at several repositories. The public and cooperating agencies can stay current on our progress by checking the Buffalo District's website at [www.lrb.usace.army.mil](http://www.lrb.usace.army.mil). Members of the public are always encouraged to contact our office if they have questions (mail us at Public Affairs Office, 1776 Niagara St., Buffalo, NY 14207-3199 or call us at (716) 879-4124 or toll-free at 1-800-833-6390).

As residents of communities throughout western New York, we also have a vested interest in ensuring all legal requirements are followed in addressing potentially contaminated sites under our authority. Remember that we, too, live and work in the community, and our children attend local schools.

**Myth:** The Corps has complete knowledge about the historic uses of the properties.

**Facts:** We are interviewing workers and residents because written records are incomplete. We are hoping that former workers and residents can fill in some of the

blanks from their memory and past experiences. Any information provided by the public at RAB meetings or by contacting the Buffalo District is followed up on. We are always grateful for any citations, copies of reports, or maps that people can provide to us. This is a partnership and we rely on the community because they have valuable long-term knowledge.

**Myth:** The government has not acknowledged the full extent of contamination at LOOW and NFSS.

**Fact:** For both sites, the Corps is still conducting investigations to identify and quantify the full breadth of current, on-site contamination. We will not know the full breadth of contamination until we have finished collecting and assessing the data. NFSS has been the object of several cleanups over the years. The data in the 20 year-old reports that some folks are still citing refer to buildings that are no longer there, soil contamination in areas where the soil was removed, etc. We are striving to use the best, most current data to accurately represent remaining site contamination.

**Myth:** The function of the Restoration Advisory Board is to tell the Corps how to proceed.

**Fact:** Restoration Advisory Boards (RABs) are the cornerstones to involving stakeholders in the cleanup process. RABs allow members of the community, the U.S. Army Corps of Engineers, other federal agencies, state regulatory agencies, and local governments to work together towards a common goal.

The LOOW RAB has a two-fold purpose. First, the RAB is a forum to discuss and exchange information about the environmental restoration program. Second, the RAB gives stakeholders the opportunity to participate in the cleanup process and make their views known to decision-makers. The membership of the RAB reflects the diverse makeup of the community and its range of perspectives.

The RAB's focus should be the Corps' environmental restoration program. Stakeholders may raise other issues, such as future land use, health, and economic factors, but there are other forums in which to discuss those issues. It is the responsibility of all RAB members to ensure that discussions stay on track.

RABs are intended to promote cooperation between the government and the communities by establishing equal member status for all participants, sharing chairmanship of the board between the Corps and the community, and soliciting individual advice rather than forced consensus. It is our hope that this kind of partnership will result in environmental restoration decisions that meet the needs of the community and the government.